

Application Number 09/733,302
Response to Office Action mailed June 9, 2008

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AMENDMENTS TO THE CLAIMS

SEP 09 2008

This listing of claims will replace all prior versions and listings of claims in the application.

Listing of Claims:

Claim 1 (Currently Amended): A connective tissue distraction device comprising:
first transmitting means for transmitting force to a first tissue region,
second transmitting means for transmitting force to a second tissue region,
expansion means for engaging the first transmitting means and the second transmitting
means, [[and]] for exerting force distracting the first transmitting means from the
second transmitting means to create a distraction space for formation of distracted
connective tissue, and for disengaging from the first transmitting means and the
second transmitting means after the distraction is complete,
wherein at least one of the first transmitting means, the second transmitting means and
the expansion means comprises a biodegradable, bioerodible or bioresorbable material.

Claim 2 (Previously Presented): The connective tissue distraction device of claim 1, wherein the
first transmitting means comprises a structure for attachment to bone.

Claim 3 (Previously Presented): The connective tissue distraction device of claim 2, wherein the
structure for attachment to bone comprises at least in part a biodegradable, bioerodible or
bioresorbable material.

Claim 4 (Previously Presented): The connective tissue distraction device of claim 2, wherein the
structure for attachment to bone is a plate.

Claim 5 (Previously Presented): The connective tissue distraction device of claim 2, wherein the
structure for attachment to bone is attached to bone via at least one screw.

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Claim 6 (Previously Presented): The connective tissue distraction device of claim 5, wherein the screw is at least in part biodegradable, bioerodible or bioresorbable material.

Claim 7 (Original): The connective tissue distraction device of claim 1, wherein the second transmitting means comprises a structure for attachment to bone.

Claim 8 (Previously Presented): The connective tissue distraction device of claim 7, wherein the structure for attachment to bone is at least in part a biodegradable, bioerodible or bioresorbable material.

Claim 9 (Original): The connective tissue distraction device of claim 7, wherein the structure for attachment to bone is a plate.

Claim 10 (Previously Presented): The connective tissue distraction device of claim 7, wherein the structure for attachment to bone is attached to bone via at least one screw.

Claim 11 (Previously Presented): The connective tissue distraction device of claim 10, wherein the screw is at least in part a biodegradable, bioerodible or bioresorbable material.

Claim 12 (Original): The connective tissue distraction device of claim 1, wherein at least one of the first transmitting means, second transmitting means or the expansion means comprise a malleable or heat malleable material.

Claim 13 (Previously Presented): The connective tissue distraction device of claim 1, wherein the first tissue region comprises connective tissue.

Claim 14 (Previously Presented): The connective tissue distraction device of claim 1, wherein the first tissue region comprises bone.

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Claim 15 (Previously Presented): The connective tissue distraction device of claim 1, wherein the second tissue region comprises connective tissue.

Claim 16 (Previously Presented): The connective tissue distraction device of claim 1, wherein the second tissue region comprises bone.

Claim 17 (Original): The connective tissue distraction device of claim 1, wherein the expansion means comprises a screw actuated expansion mechanism.

Claim 18 (Previously Presented): The connective tissue distraction device of claim 1, wherein the expansion means comprises at least in part a biodegradable, biocerodible or bioresorbable material.

Claim 19 (Original): The connective tissue distraction device of claim 1, further comprising an activation means.

Claim 20 (Previously Presented): The connective tissue distraction device of claim 19, wherein the activation means is directly or indirectly engaged with expansion means.

Claim 21 (Previously Presented): The connective tissue distraction device of claim 20, wherein the activation means is reversibly engaged with the expansion means.

Claim 22 (Canceled).

Claim 23 (Canceled).

Claim 24 (Previously Presented): The connective tissue distraction device of claim 19, wherein at least a portion of the activation means is external to the subject.

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Claim 25 (Previously Presented): A method of distracting a first tissue region and a second tissue region, comprising:

- implanting a first transmitting means onto the first tissue region;
- implanting a second transmitting means onto the second tissue region;
- engaging an expansion means with the first and second transmitting means;
- activating the expansion means to exert a force distracting the first transmitting means from the second transmitting means to create a distraction space for formation of distracted tissue; and
- disengaging the expansion means from the first transmitting means and the second transmitting means after the distraction is complete.

Claim 26 (Previously Presented): The method of claim 25, further comprising separating the first and second tissue regions before implanting of the first and second transmitting means.

Claim 27 (Previously Presented): The method of claim 26, further including separating the first and second tissue regions via an osteotomy before implanting of the first and second transmitting means.

Claim 28 (Previously Presented): The method of claim 27, further including separating the first and second tissue regions via an osteotomy on tissue intermediate the first and second tissue regions.

Claim 29-41 (Canceled).

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EXAMINER INTERVIEW SUMMARY

Applicants thank Examiner Ramana for the courtesy of the telephone interview on August 11, 2008. Examiner Ramana and Applicants' representative, Kari H. Bartingale, participated in the interview. Independent claims 1 and 25 and the Landsberger reference (US 6,113,599) were discussed. No agreement was reached.